

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

TRI-CITIES HOLDINGS LLC, ET AL )  
 )  
V. ) NO. 2:13-CV-305  
 )  
TENNESSEE HEALTH SERVICES )  
AND DEVELOPMENT AGENCY, )  
ET AL )

ORDER

An individual known as Jane Doe No. 3 has filed a Motion [Doc. 176] to intervene in this action and to proceed under a pseudonym. The original plaintiffs have filed a Motion [Doc. 177], to add additional claims, and to add Jane Doe No. 3 as a party plaintiff in this action.

On April 10, 2014, the District Judge entered a Memorandum Opinion and Order [Doc. 164] which granted the motion to stay further proceedings in this case [Doc. 98] filed by the City of Johnson City, the Johnson City Board of Commissioners, and the Johnson City Board of Zoning Appeals, pending the conclusion of efforts of plaintiff Tri-City Holdings LLC [“TCH”] to obtain a certificate of need [“CON”], from the Tennessee Health Services and Development Agency, and a license from the Tennessee Department of Health.

Those state proceedings have not yet been concluded, and thus, this action is still not ripe for adjudication irrespective of whether there are additional plaintiffs or claims. The pivotal issue in this case is the resolution of TCH’s attempt to obtain the required CON and license. Until that issue is put to rest, this case cannot move forward.

Based upon the prior order of the District Judge, the Motions [Docs. 176 and

177] are DENIED, but may be refiled if the District Judge ultimately lifts the existing stay.

SO ORDERED:

s/ Clifton L. Corker  
UNITED STATES MAGISTRATE JUDGE